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| APPLICATION NO.                                       | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/070,626  | 07/10/2002  | Stephane Bohbot      | 12378/1             | 9382             |
| 26646   | 7590        | 03/31/2005           | EXAMINER            |                  |
| KENYON & KENYON<br>ONE BROADWAY<br>NEW YORK, NY 10004 |             |                      | VU, BAO Q           |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2838                |                  |

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/070,626

Applicant(s)

BOHBOT ET AL.

Examiner

Bao Q. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-19, 22-24, 27 and 29-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-19, 22-24, 27 and 29-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "a connection element removable from the battery charger, and the an arrangement outside the battery charger configured to automatically determine at least one electrical parameter of a charge upon connection of the unit to the battery charger via the connection element" **must be shown or the feature(s) canceled from the claim(s)**. Please specify, the exact figures and cite the specific sections of the specification that has this feature. Second request, a resistor is a passive element and CANNOT be "an arrangement outside the battery charger configured to automatically determine at least one electrical parameter of a charge upon connection of the unit to the battery charger" Please disclose what type of special resistor that can do this. How is a "passive element" a resistor able to be outside the battery and automatically determine at least one electrical charge parameter without a comparator or a processor device? No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended

replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 13-19, 22-24, 27, 29-41 are rejected based on the drawings objections above. A resistor is a passive element and CANNOT be "an arrangement outside the battery charger configured to automatically determine at least one electrical parameter of a charge upon connection of the unit to the battery charger" This is more of an active device that senses that can automatically determine at least one electrical parameter. Please disclose what type of special resistor that can do this. How is a "passive

element" a resistor able to be outside the battery and automatically determine at least one electrical charge parameter without a comparator or a processor device?

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 13, 39 and 41 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Alberth, Jr. et al. (USP 5,771,471). Alberth (see figure 3) teaches a battery charger (300) and a battery (388) and (see figure 5) a connection element (648) removable from a battery charger (inclusive in 600), and an arrangement outside (606) the battery charger (inclusive in 600), it is determine at least one electrical parameter (see column 13, lines 22-31) of a charge upon connection of the battery charger (inclusive in 600) via a connection element (648).

7. Claims 13-19, 22-24, 27, 29-41 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Braitberg et al. (USP 5,535,274). Braitberg (see figure 27) discloses a battery charger (650), a unit including a battery to be charged (in the phone 200 figure 14) a connection (252) removable from a battery charger (214) an arrangement (254) outside the battery charger (214) configured to determine at least one electrical parameter (see figure 16) and column 16, and lines 16-24. Element 330 is

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a ROM chip that sends information to establish appropriate electrical parameters for charging the cellular phone.

### ***Response to Arguments***

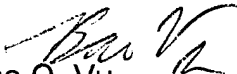
8. Applicant's arguments with respect to claim 13-19, 22-24, 27, 29-41 have been considered but are moot in view of the new ground(s) of rejection, the 112 rejections.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Vu whose telephone number is (571) 272-2088. The examiner can normally be reached on Monday-Fridays, 8:00AM- 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael S. Sherry can be reached on (571) 272-2084. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Bao Q. Vu  
Primary Examiner  
Art Unit 2838

March 28, 2005